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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,380	11/10/2000	Arthur R. Hair	HAIR-22	5438

7590 04/02/2004
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EXAMINER

DADA, BEEMNET W

ART UNIT PAPER NUMBER

2135

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,380

Applicant(s)

HAIR ET AL.

Examiner

Beemnet W Dada

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-2 have been examined

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(a) as being anticipated by Roger R. Dingledine (hereinafter Roger)(Ref. U).

4. As per claim 1 Roger teaches, a system to establish a trusted and decentralized peer-to-peer network comprising:

communication means [page 55, paragraph 2];

n user computing devices connected to the communication means, where n is greater than or equal to 1 and is an integer [page 55, paragraphs 2 & 3]; and

a host computing device connected to the communication means having a mechanism to establish a decentralized trusted communication network with at least 2 of the n users computing devices through which digital signals are shared securely between the host computing device the 2 users computing devices of the trusted communication network [page 55, paragraphs 3 & 4 and page 7].

5. As per claim 2, Roger teaches, a method of establishing a trusted and decentralized peer-to-peer network comprising the steps of:

sending a public key from a host computing device to communication means connected to the host computing device [page 72, paragraph 1];

receiving the public key at a first user computing device connected to the communication means [page 72, paragraph 1 and 2];

receiving the public key at a second user computing device to establish a decentralized trust communication network between the host computing device, the first and the second computing device through which digital signals are shared securely between the host computing device, the first user computing and second use computing device [page 55, paragraph 4 and page 60, paragraph 4].

6. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Olson et al. (hereinafter referred to as Olson) (U.S. Patent No. 6,311,209 B1).

7. As per claim 1, Olson teaches a system to establish a trusted and decentralized peer-to-peer network comprising:

communication means [figure 1, unit 12];

n user computing devices connected to the communication means, where n is greater than or equal to 1 and is an integer [figure 1 units 14, 16 and 18]; and

a host computing device connected to the communication means having a mechanism to establish a decentralized trusted communication network with at least 2 of the n users computing devices through which digital signals are shared (i.e. each client maintaining a copy of data throughout an application session, and each time client changes application data the change is communicated to all other clients, e.g. client A, B and C of Fig 1 maintaining a copy of data at elements 20, 22 and 24) [column 6, lines 29-41] securely between the host computing device and the 2 users computing devices of the trusted communication network [column 3, lines 30-41, column 6, lines 47-53 and column 2, lines 22-27].

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olson (U.S. Patent No. 6,311,209 B1).

10. As per claim 2, Olson teaches a method of establishing a trusted and decentralized peer-to-peer network comprising the steps of:

sending a public key (unique identifier) from a host computing device to communication means connected to the host computing device [column 3, lines 35-40];

establishing a decentralized trust communication network between the host computing device, a new client and existing clients by forwarding the public key (unique identifier) to the new and existing clients [column 3, lines 35-40 and column 8, lines 12-21] through which digital signals are shared (i.e. each client maintaining a copy of data throughout an application session, and each time client changes application data the change is communicated to all other clients e.g. client A, B and C of Fig 1 maintaining a copy of data at elements 20, 22 and 24) [column 6, lines 29-41] securely between the host computing device and the client computing devices [column 3, lines 30-42, column 6, lines 47-53 and column 2, lines 22-27].

However Olson does not explicitly teach receiving the public key (unique identifier) at a first user computing device connected to the communication means. It would have been obvious to one having ordinary skill in the art at the time the invention

was made to have a method of receiving a public key at the first user computing device. This would have been obvious because Olsen teaches forwarding a unique identifier to each of the existing clients over a communication network [column 3, lines 35-41]. Olsen also teaches forwarding the unique identifier to a new client and the new client acknowledging receipt of the unique identifier [column 8, lines 12-21]. Based on this teaching it would have been obvious to have a first device receive a public key (unique identifier) via a communication means.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) U.S. Patent No. 6,167,432
- b) U.S. Patent No. 6,701,344 B1
- c) U.S. Pub No. 2001/0044879 A1
- d) U.S. Patent No 6,587,870 B2
- e) "a distributed decentralized information storage and retrieval system", a report by Ian Clarke
- f) "key agreement in dynamic peer groups" IEEE article by Steiner et al.
- g) "a distributed trust model" acm article by Abdul-Rahman et al.

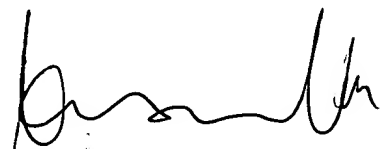
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

March 29, 2004



SUPERVISORY PATENT EXAMINER
KIM Y VU